

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff, ) Case No. CR02-0008-JCC-JPD

v. ) SUMMARY REPORT OF U.S.  
MI WHITE, ) MAGISTRATE JUDGE AS TO  
Defendant. ) ALLEGED VIOLATIONS  
 ) OF SUPERVISED RELEASE

An evidentiary hearing on a petition for violation of supervised release in this case was conducted before the undersigned Magistrate Judge on May 10, 2006. The United States was represented by Assistant United States Attorney Annette Hayes, and the defendant by Mr. Robert Leen. The proceedings were recorded on cassette tape.

On or about June 21, 2002, defendant was sentenced by the Honorable John C. Coughenour to twenty-seven (27) months in custody to be followed by three (3) years of supervised release on charges of Distribution of Marijuana.

The conditions of supervised release included the requirements that the defendant comply with all local, state, and federal laws, and with the standard conditions. Special conditions imposed included, but were not limited to, substance-abuse and mental-health treatment participation, consent to search and seizure, no possession of identification in any other name than her true and legal name, and financial disclosure.

In a Petition for Warrant or Summons dated March 31, 2006, U.S. Probation Officer Michael S. Larsen asserted the following violations by defendant of the conditions of her supervised release:

**REPORT AND RECOMMENDATION OF  
U.S. MAGISTRATE JUDGE AS TO ALLEGED  
VIOLATIONS OF SUPERVISED RELEASE**

01           (1)     Distributing marijuana on or about March 30, 2006, in violation of the general  
02 condition that she not commit any federal, state, or local crimes.

03           (2)     Possessing marijuana, on or about March 30, 2006,in violation of the general  
04 condition that she not commit any federal, state, or local crimes.

05           (3)     Providing false information to the probation officer regarding her financial assets  
06 and income, in violation of standard condition No. 3.

07           (4)     Failing to work regularly at a lawful occupation, in violation of standard condition  
08 No. 5.

09           (5)     Associating with a known felon, Camden Lamp, on or about March 29, 2006, in  
10 violation of standard condition No. 9.

11           (6)     Failing to disclose financial assets and property to the probation officer, in  
12 violation of the special condition that she provide access to all requested financial information.

13           (7)     Attempting to elude a police officer, on or about March 30, 2006, in violation of  
14 the standard condition that she not commit any federal, state, or local crimes.

15           At the evidentiary hearing, testimony was offered by Detective Brett Shavers from the  
16 Renton Police Department and United States Probation Officer Michael Larsen. Exhibits 1, 2A,  
17 B, and C, 3A and B, 4, 5A, B, and C, 6A, B, and C, 7, 8A, B, and C and 9 were offered and  
18 received into evidence.

19           The evidence offered showed that on March 30, 2006, the defendant was observed  
20 entering a silver Range Rover with her husband, Terry Wegner. The defendant was driving, and  
21 perceived to be engaging in counter-surveillance driving. She stopped at an apartment complex  
22 near North 34th and Meridian in Seattle. A male came out of the apartment complex, and spoke  
23 with Mr. Wegner, and then opened the back section of the Range Rover and placed a black  
24 hockey bag into the vehicle. Detective Shavers then called a marked unit of the Seattle Police  
25 Department to stop the Range Rover. When the emergency lights were first activated, the  
26 defendant accelerated as if she were thinking to flee. However, she then stopped the vehicle

01 after about a one-half block distance. A narcotics dog arrived at the scene, and reacted in a  
02 fashion that indicated the scent of narcotics. A search of the vehicle was conducted, which  
03 revealed a hockey bag containing approximately 3,000 grams of marijuana. (Ex. 1). A further  
04 search revealed approximately \$73,000 in U.S. currency inside a pizza box in the vehicle. (Ex.  
05 2A). The search of the vehicle also produced approximately \$22,000 in two brown paper bags  
06 (Exs. 2B and C). Certain described "pay sheets" were also found in the vehicle, which contained  
07 information that appears to be a ledger of who was owed certain funds. (Exs. 3A and B). In  
08 addition, Ex. 3A contained blank U.S. Probation monthly supervision reports, with the initial  
09 "LBW" at the top. U.S. Probation Officer Michael Larsen testified that the initials represented  
10 a notation for LeRoy Washington, a probation officer who previously supervised the defendant.

11 After the arrest, search warrants were obtained to search residences at 1978 Harvard  
12 Avenue East ("Capitol Hill residence") and 1814 28th Avenue W ("Magnolia residence") in  
13 Seattle. The defendant and her husband lived at the Capitol Hill residence. They had been  
14 observed entering and leaving the Magnolia residence without knocking before their arrest.  
15 During the search of the Capitol Hill residence, police seized a photo with the defendant and  
16 Camden Lamp. Mr. Lamp was convicted of weapons violations and was preparing to leave for  
17 prison to serve his sentence. Also seized was an invitation to attend "Camden's send off party"  
18 (Ex. 5C). The photograph was not dated, but Mr. Lamp advised Detective Shavers that he and  
19 the defendant almost daily had contact prior to her arrest.

20 When the Magnolia residence was searched, police seized more than 3,000 grams of  
21 marijuana (Ex. 4), together with what were described as drug ledgers (Ex. 3B), and currency  
22 (Exs. 8B and C). Other items consistent with marijuana processing and distribution were also  
23 seized. (Ex. 9). When the defendant was arrested, her key chain was also seized. (Ex. 6A).  
24 One of the keys fit the Yukon Denali truck that was parked at the Capitol Hill residence. (Ex.  
25 6C). In addition, the defendant had one of the keys to the Magnolia residence.

26 While on supervision, the defendant filed monthly reports, stating her income and net

01 worth (Exs. 5A and B). She identified salary of \$1160 and tips of approximately \$200 to \$400,  
02 and her spouse's salary as \$1500. She identified a Bank of America savings account with  
03 approximately \$500. She also identified an interest in the Yukon Denali truck, but did not  
04 identify the Range Rover nor an interest in any of the money she had in her possession at the  
05 time of her arrest or subsequently found at the Magnolia residence. Probation Officer Larsen  
06 testified that these assets were never disclosed.

07 The only alleged violations for which there may be some dispute relate to alleged  
08 violations Nos. 5 and 7. Although Detective Shavers testified that the photo showing the  
09 defendant and Mr. Lamp was not dated, he also testified, without contradiction, that Mr. Lamp  
10 said that he had been having contact almost daily with the defendant, and that she was involved  
11 in assisting in preparations for his "Send Off" party. As a result, I find that the government has  
12 satisfied its burden in proving violation No. 5.

13 With respect to violation No. 7, the testimony that was offered was that the defendant  
14 accelerated her vehicle as soon as the Seattle Police Officers turned on their emergency lights  
15 in what seemed to be an apparent attempt to elude police officers. The defendant traveled only  
16 a short distance (about one-half block) before she decided to stop, but the evidence does support  
17 the finding of a short attempt to elude police officers prior to her arrest.

18 As a result, I therefore recommend that the Court find the defendant to have violated the  
19 terms and conditions of her supervised release as to violations Nos. 1 through 7, and that a  
20 disposition hearing on these violations be set.

21 A disposition hearing has been set before the Honorable John C. Coughenour on June 9,  
22 2006, at 9 a.m. Pending a final determination by the Court, the defendant has been detained.

23 DATED this 16th day of May, 2006.

24   
25 JAMES P. DONOHUE  
26 United States Magistrate Judge

01 cc: District Judge: Honorable John C. Coughenour  
02 AUSA: Ms. Annette Hayes  
03 Defendant's attorney: Mr. Robert Leen  
04 Probation officer: Mr. Michael S. Larsen  
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